

**TENNESSEE BOARD OF EXAMINERS IN PSYCHOLOGY
MINUTES**

DATE: July 20-21, 2005

TIME: 10:00 A.M.

LOCATION: Tennessee Room
Ground Floor, Cordell Hull Building
Nashville, TN

BOARD MEMBERS

PRESENT: Debra Davenport, M.A., Sr. P.E., Chair
Carl Gilleylen, Psy.D.
Robert Kores, Ph.D.
Donald Brookshire, Psy.D.
Carolyn West-Willette, Ed.D

BOARD MEMBERS

ABSENT: Denise Davis, Ph. D., Vice Chair
Janice Martin, Ph. D.
William Vaughn, Ph. D., Sr. P.E.

STAFF PRESENT: Melody Spitznas, Board Administrator
Nicole Armstrong, Advisory Attorney
Barbara Maxwell, Administrative Director
Jerry Kosten, Rules Coordinator
Shiva Bozarth, Assistant General Counsel

Ms. Davenport, chair, called the meeting to order at 10:08 a.m. A sufficient number of board members were present to constitute a quorum.

Conflict of Interest

Ms. Armstrong reviewed the conflict of interest policy with the board asking the board members to disclose any conflict of interest they may have prior to contested cases or any other legal proceedings or matters to determine if there is a conflict of interest. Ms. Armstrong stated that if a board member does have a conflict of interest they must recuse him/herself and leave the hearing room during the discussion and vote. Ms. Armstrong asked the board members to sign the conflict of interest statement and return it to Ms. Spitznas.

Agreed Order for James Michael Carrig, Ph.D.

Upon review of the agreed order for **James Michael Carrig, Ph.D.** for practicing psychology without a license while working under Dr. Jeffery Davis in Knoxville, TN., Dr. Brookshire made a motion, seconded by Dr. Kores, to accept the agreed order as written. The motion carried.

Approve/Discuss Jurisprudence exam questions

The board reviewed the Jurisprudence exam questions. Dr. Kores said he was concerned the test was too difficult and suggested an increase in the number of questions from 20 to 30 questions.

Renewal/Application fees

Ms. Spitznas said Lisa Tittle is requesting that all boards refrain from reducing fees until the cost is determined for the move to Metro Center and the new RBS System.

Ms. Armstrong asked Ms. Spitznas to ask Ms. Tittle where we stand in comparison to all other boards in renewal/application fees and have that information for the next board meeting.

Legislative Report

Mr. Kosten discussed Public Chapter 150 with the board which is relative to persons with developmental disabilities, mental illness, mental retardation and serious emotional disturbance. Mr. Kosten said the chapter is amended to change the language “mental health treatment” to “treatment”.

Approval of Minutes

Upon review of the April 13-14, 2005 board meeting minutes, Dr. Gilleylen made a motion, seconded by Dr. Kores, to approve the minutes as corrected. The motion carried.

Office of General Counsel (OGC) Report

Ms. Armstrong reviewed the OGC report stating Rule 1180-1-.06, .08 regarding record keeping requirements and continuing education went into effect June 4, 2005.

Ms. Armstrong stated Rules 1180-1-.01, .03, .05, .07, .08; 1180-2-.03, .04, .05, .06, .07; 1180-3-.03, .04, .05; 1180-4-.03 regarding volunteer practice, continuing education in ethics/jurisprudence and the elimination of the oral exam; Rule 1180-2-.02 regarding proof of equivalency to APA/APPIC internships and Rule 1180-2-.03, .05; 1180-4-.03 regarding criminal background checks for applicants are currently under review by the Attorney General.

Ms. Armstrong stated there are currently nineteen (19) open cases pertaining to the Board of Examiners in Psychology, involving twelve (12) licensees. Fifteen (15) represent complaints against Psychologists and four (4) represent complaints against Psychological Examiners.

Administrative Report

Ms. Spitznas reviewed the administrative report stating there are currently 1225 active psychologists and 643 active psychological examiners and senior psychological examiners. Ms. Spitznas said between April 6, 2005 and July 8, 2005, thirty-six (36) psychologists and eighteen (18) psychological examiners renewed their license online.

Ms. Spitznas reminded the board to submit all travel 120 days in advance for possible approval.

Disciplinary Report

Ms. Armstrong reviewed the summary of currently monitored practitioners. Ms. Armstrong said following the report is a history of Psychologists who have been disciplined by the board.

Investigative Report

Ms. Armstrong reviewed the investigative report stating there are twenty-four (24) open complaints in OGC.

Status Report

Dr. Kores made a motion, seconded by Dr. Gilleylen, to ratify the following newly licensed Psychologists:

Nicole D. Alexander, Ph.D.
Allison Sue Bender, Ph.D.
Leslie D. Berkelhammer, Ph.D.
Brian David Haworth, Psy.D.
Edward R. Kovach, Ph.D.
Tarah Marie Kuhn, Ph.D.
Adam Vincent McClain, Psy.D.
Owen Thomas Nichols, Psy.D.
Brynda Quinn, Ph.D.
Melissa Ann Riggs, Ph.D.
Angela E. Steep, Psy.D.
Glenda Frances Stockwell, Ph.D.
Jacqueline Tang-Morgan, Ph.D.
Steve D. Brown, Ph.D.
Laurie A. Greco, Ph.D.

The motion carried.

The board reviewed the reinstatement application of **Dr. Richard Taran**, who complied with the requirements of his suspended license and two year probationary period.

Dr. Kores made a motion, seconded by Dr. West-Willette, to ratify the reinstatement application for Dr. Richard Taran. The motion carried.

Dr. Kores made a motion, seconded by Dr. Gilleylen, to ratify the following newly licensed Psychological Examiners:

Elizabeth Anne Nelson
Darcy Elizabeth Wallus
Deborah Elaine Colton

The motion carried.

Upon review, Dr. West-Willette made a motion, seconded by Dr. Kores, to ratify the reinstatement application of **Linda M. Meador**. The motion carried.

Ratify Written Examination Results

Dr. Kores made a motion, seconded by Dr. Gilleylen, to ratify the following passing scores of the written examination for Psychologists/HSP:

Laurie Greco, Ph. D.
Deborah Van Slyke, Ph.D.
Ari Levi Holtz, Ph.D.
Ronald L. W. Roberts, Ph.D.
Brian Haworth, Ph.D.
Paul Colte, Psy. D.
Cara Smith, Psy. D.

The motion carried.

Dr. Kores made a motion, seconded by Dr. Gilleylen, to ratify the following failing scores of the written examination for Psychologist/HSP:

Mona Bennett, Ph.D.
Myrna Kemp, Ph.D.
Charles Douthey, Ph.D.
Shannon K. Hays, Ph.D.
Jennifer Devan, Ph.D.
Michelle Santiago, Psy.D.

The motion carried.

Dr. Kores made a motion, seconded by Dr. West-Willette, to ratify the following passing score of the written examination for Psychological Examiners:

Catherine Dhanarajan
Brandi Hamilton

The motion carried.

Dr. Kores made a motion, seconded by Dr. West-Willette, to ratify the following failing scores of the written examination for Psychological Examiners:

Donna Fridgant
Katherine Haynes

The motion carried.

Ratify Oral Examination Results

Dr. West-Willette made a motion, seconded by Dr. Gilleylen, to ratify the following passing score of the oral examinations:

The following applicants have successfully passed the oral examination and completed the postdoctoral supervised experience for a licensure as a Psychologist/HSP:

Nicole Alexander, Ph.D./HSP
Owen T. Nichols, Psy.D./HSP
Glenda F. Stockwell, Ph.D./HSP
Jacqueline Tang-Morgan, Ph.D./HSP
Brenda Quinn, Ph.D./HSP
Leslie Berkelhammer, Ph.D./HSP
Brian D. Haworth, Psy.D./HSP
Angela Steep, Psy.D./HSP
Adam McClain, Psy.D./HSP
Anthony Doran, Psy.D./HSP
Jennifer Dembowski, Ph.D./HSP
Jennifer Stone, Ph.D./HSP
Steve D. Brown, Ph.D./HSP

The following applicants have successfully passed the oral examination and are in the process of completing his/her postdoctoral supervised experience:

Marzi Radpour-Wiley, Ph.D./HSP
Deidre Vaughn-Sharp, Ph.D./HSP
Laurie Greco, Ph.D./HSP

The following applicants have successfully passed the oral examination for licensure as a Psychological Examiner:

Darcy Wallus
Deborah Colton
Elizabeth Nelson

The following applicant's oral examination was reviewed by the Board based on recommendation of failure by the oral examination committee:

Katherine Dittman, Ph.D./HSP

A motion was made by Dr. Kores, seconded by Dr. Gilleylen to uphold the oral examination committee's recommendation. The motion carried.

Ratify Closure of Abandoned/Incomplete Files

Dr. West-Willette made a motion, seconded by Dr. Gilleylen, to ratify the closure of the following abandoned/incomplete files:

Deborah Martin
Mariana Bier Lorenz
Aaron Shupp, Psy.D.
Deborah J. Adams

The motion carried.

File Review

The board conducted a second review of the psychological examiner application from **Sharon Davern**. The board determined that Ms. Davern's file does not meet the requirements for licensure and does not show adequate training and shall be closed.

Professional Assistance Program

Mr. Mike Harkreader, MS, RN from Tennessee Professional Assistance Program, gave a presentation on Tennessee Peer Assistance Program. Mr. Harkreader stated they are a confidential program and have three to five contracts with other boards. TNPAP screens applicants 18 times a year and it looks for street drugs, narcotics and alcohol. The applicant can call an 800 number to do the drug screenings and the cost is around \$55 per screening.

Dr. Kent Cox of the Tennessee Psychological Association gave a presentation on their impaired professional program.

Mr. Michael Todd, TMF Administrator, spoke to the board about Tennessee Medical Foundation. Mr. Todd stated that their company goes to a section of the state and set up meetings with physicians.

Ms. Davenport requested that we sunshine for further discussion referral agencies for impaired licensees.

Schedule Board Meeting Dates for 2006

The board selected the following dates for their 2006 board meetings:

January 18, 19 & 20

April 19, 20 & 21

July 19, 20 & 21

October 18, 19 & 20

Election of Officers

Dr. Kores made a motion, seconded by Dr. West-Willette, to nominate Ms. Davenport as chairman. The motion carried.

Dr. Kores made a motion, seconded by Dr. West-Willette, to nominate Dr. Gilleylen as vice chair. The motion carried.

Correspondence

The board reviewed a letter from the physician of **Eric W. Jones, Sr. P.E.**, requesting a waiver of continuing education requirements for 2001. The board agreed that a letter be sent to Mr. Jones requesting him to submit a waiver request and perhaps retire his license until such time he can return to work. Dr. Kores made a motion, seconded by Dr. Gilleylen, to delay and send Mr. Jones a letter. The motion carried.

The board reviewed a letter from **Prudie L. Orr, Ph.D.**, requesting a refund of \$400 she submitted with her reinstatement. The board requested Ms. Spitznas call Dr. Orr and have her send in her continuing education.

The board reviewed a letter from **Jonathan E. May, Ph.D.**, concerned that interns cannot be reimbursed for seeing patients unless they have a temporary license. Ms. Armstrong stated that this is about a provisional license and she will respond to Dr. May for the board.

The board reviewed a letter from **Jeff Davis, P.E.** regarding supervision by an out of state psychologist with whom he was previously supervised. Ms. Armstrong said she will refer Mr. Davis to the rules.

The board reviewed a letter from **Martha Catherine Dagenhart, Ph.D.**, requesting the suspension of her provisional license for maternity leave. Upon review, Dr. Gilleylen made a

motion, seconded by Dr. Kores, to grant Dr. Dagenhart a suspension of her license for maternity leave. The motion carried.

The board reviewed a letter from **Lana Bogan, P.E.**, requesting waiver of continuing education for 2001/2002 due to illness. Dr. Brookshire made a motion, seconded by Dr. Kores, to waive her continuing education for 2001/2002 and notify her of the ability to retire her license until such time she can return to practice. The motion carried.

File Review

Dr. Brookshire made a motion, seconded by Dr. Kores, to upgrade the following applicants to Senior Psychological Examiners:

Michael Miller
William Lokey
Brian Gallas
Katherine Caldwell

The motion carried.

Upon review of the file for **Christina Birdwell, Ph.D./HSP**, Dr. Brookshire made a motion, seconded by Dr. Gilleylen, to deny the application for Dr. Birdwell based on inadequate documentation of postdoctoral hours. The motion carried.

Upon review of the file for **Brian Abbott, Ph.D./HSP**, Dr. Brookshire made a motion, seconded by Dr. West-Willette, to issue a temporary license to Dr. Abbott and schedule him for the written examination. The motion carried.

Upon review of the file for **Noah Roost**, Dr. Brookshire made a motion, seconded by Dr. Gilleylen, to issue a temporary license to Mr. Roost and schedule him for the written examination. The motion carried.

Upon review of the file for **Christopher Bassin, Ph.D./HSP**, Dr. Kores made a motion, seconded by Dr. West-Willette, to approve the application for Dr. Bassin and schedule him for the written examination. The motion carried.

Upon review of the file for **Jacqueline Bethany, Ph.D./HSP**, Dr. Kores made a motion, seconded by Dr. West-Willette, to approve the application of Dr. Bethany and schedule her for the written examination. The motion carried.

Upon review of the file for **Roberta Gallagher, Ph.D./HSP**, Dr. Gilleylen made a motion, seconded by Dr. West-Willette, to approve the application of Dr. Gallagher and schedule her for the oral examination. The motion carried.

Upon review of the file for **Elizabeth Dykens, Ph.D./HSP**, Dr. Gilleylen made a motion, seconded by Dr. Kores, to approve the application for Dr. Dykens upon receipt of documentation

that her previous license required a postdoctoral supervised experience of at least 1900 hours. The motion carried.

Upon review of the file for **Robyn L. Branca, Ph.D./HSP**, Dr. Brookshire made a motion, seconded by Dr. Kores, to approve Ms. Branca for a provisional license and schedule her for the EPPP examination. The motion carried.

Upon review of the file for **Julie O'Digie**, Dr. Brookshire made a motion, seconded by Dr. Kores, to issue Ms. O'Digie a temporary license and schedule her for the written examination. The motion carried.

Upon review of the file for **Brandi Mangan, C.P.A. Applicant**, Dr. Brookshire made a motion, seconded by Dr. West-Willette, to deny the application for Ms. Mangan for a Certified Psychological Assistant as she does not meet the licensure requirements regarding the practicum documentation. The motion carried.

Contested Case Hearing for Martin Cleveland, Ph.D.

Administrative Law Judge, Ralph D. Christian II, presided over the case hearing for Martin Cleveland, Ph.D. Shiva Bozarth, Assistant General Counsel, represented the State and Robert Moore represented the respondent.

Judge Ralph D. Christian asked the board to introduce themselves and stated that the board sits as a jury in the hearing.

The State alleged that Dr. Cleveland had an inappropriate personal and sexual relationship with a former client, in violation of the Board's practice act and rules.

Upon review of the findings of facts, Dr. Brookshire made a motion, seconded by Dr. Gilleylen, to accept the findings of facts as written omitting the seventh, eighth, tenth, fourteenth and fifteenth findings of facts, changing the sixth finding of facts to state "six months", and deleting the seventh finding of fact. The motion carried.

Upon review of the allegations of facts, Dr. Brookshire made a motion, seconded by Dr. Kores, to accept the eighth, ninth, tenth, twelfth, thirteenth, fourteenth, fifteenth, twentieth and twenty-first allegations of fact as written, number sixteen needs to be amended to say "it was a contributing factor", number eleven needs to be reworded to Dr. Cleveland's wife invited T.C. and R.C. to dinner, and number seventeen needs to be amended by leaving off the date provided. The motion carried.

Upon review of the conclusion of law, Dr. West-Willette made a motion, seconded by Dr. Gilleylen, to accept numbers twenty-two, twenty-four, twenty-five, twenty-six, twenty-seven and twenty-eight as written for the conclusion of law. The motion carried.

Upon discussion of action to take against Martin Cleveland, Dr. Kores made a motion, seconded by Dr. West-Willette, to suspend Dr. Cleveland's license for six months, with appearance before

the board, five year probation, monitoring by Dr. Leite, psychotherapy provided by interpersonal psychotherapist, quarterly reports from Dr. Leite and the psychotherapist, assessment of court cost and take an ethics course. The motion carried.

Ms. Davenport amended the motion to state if Dr. Leite becomes unable to monitor Dr. Cleveland, Dr. Cleveland needs to bring in new supervisor before the board for approval.

Ms. Davenport stated the Tennessee Board of Examiners in Psychology took this action in order to enforce the statutory laws and rules governing the professional practice of psychology in the State of Tennessee and protect the health, safety and welfare of the citizens of the State of Tennessee.

Contested Case Hearing for David Michael McElroy, Ph.D.

Administrative Law Judge, Ralph D. Christian II, presided over the case hearing for Michael McElroy, Ph.D. Shiva Bozarth, Assistant General Counsel, represented the State and Mr. McElroy was not present for the hearing.

Mr. Bozarth stated he sent numerous notices to the respondent and all were returned.

Dr. Brookshire made a motion, seconded by Dr. Kores, to find Michael McElroy at default. The motion carried.

The State alleged that Dr. McElroy had engaged in a series of unprofessional conduct, including substance abuse, inappropriate personal relationships with clients, and alleged criminal assault.

Dr. Brookshire made a motion, seconded by Dr. Kores, to accept the allegations as fact based on the witness testimony. The motion carried.

Dr. Kores made a motion, seconded by Dr. West-Willette, to accept the findings of fact with the exception of 13-H, I and J. The motion carried.

Dr. Brookshire made a motion, seconded by Dr. West-Willette, to revoke the license of Dr. McElroy. The motion carried.

Ms. Davenport stated the Tennessee Board of Examiners in Psychology took this action in order to enforce the statutory laws and rules governing the professional practice of psychology in the State of Tennessee and protect the health, safety and welfare of the citizens of the State of Tennessee.

The Judge commented on what a wonderful job the board did in hearing these cases.

File Review

Upon review of the file for **Jill Baker, Ph.D./HSP**, Dr. Kores made a motion, seconded by Dr. Brookshire, to delay provisional license until Dr. Baker can send a letter to the board stating she will obtain weekly supervision. The motion carried.

Upon review of the file for **Stephanie Gamse, Ph.D./HSP**, Dr. Kores made a motion, seconded by Dr. Gilleylen, to issue Dr. Gamse a provisional license and schedule her for the written examination. The motion carried.

Upon review of the file for **Lindsay Vaughn, Psy.D./HSP**, Dr. Kores made a motion, seconded by Dr. Gilleylen, to delay Dr. Vaughn's application until degree is conferred. The motion carried.

Upon review of the file for **Jessica Lea Allin, Ph.D./HSP**, Dr. Kores made a motion, seconded by Dr. Brookshire, to delay Dr. Allin's application until degree is conferred. The motion carried.

Upon review of the file for **Arnold Scott Presley, Ph.D./HSP**, Dr. West-Willette made a motion, seconded by Dr. Kores, to approve Dr. Presley for a provisional license and schedule him to take the written exam. The motion carried.

Upon review of the file for **Sarah Richie, Ph.D./HSP**, Dr. Kores made a motion, seconded by Dr. Brookshire, to delay the application of Dr. Richie until receipt of letter from internship director and completion of the appropriate forms. The motion carried.

Upon review of the file for **Martha Bynum, Ph.D./HSP**, Dr. Kores made a motion, seconded by Dr. Brookshire, to delay the application of Dr. Bynum upon receipt of affidavit of postdoctoral supervision. The motion carried.

Upon review of the file for **Bridges Wade Smith, P.E.**, Dr. Gilleylen made a motion, seconded by Dr. West-Willette, to upgrade Mr. Smith to a Senior Psychological Examiner. The motion carried.

Upon review of the file for **Christina S. Jones, Ph.D./HSP**, Dr. Brookshire made a motion, seconded by Dr. Kores, to delay the provisional license until we receive degree. The motion carried.

Upon review of the file for **Barbara Marshall, Ph.D./HSP**, Dr. Brookshire made a motion, seconded by Dr. West-Willette, to issue a temporary license to Dr. Marshall and schedule her for the oral examination. The motion carried.

Upon review of the file for **Diana Monteiro, Ph.D./HSP**, Dr. Brookshire made a motion, seconded by Dr. Kores, to issue Dr. Monteiro a provisional license and schedule her for the oral examination. The motion carried.

Upon review of the file for **Molly White, Ph.D./HSP**, Dr. Gilleylen made a motion, seconded by Dr. Kores, to delay Dr. White's application until we receive her degree. The motion carried.

Upon review of the file of reciprocity for **Allison Hanauer, Ph.D./HSP**, Dr. Gilleylen made a motion, seconded by Dr. Kores, to approve the application of Dr. Hanauer and schedule her for the oral exam. The motion carried.

Upon review of the file for **Glenn Haban, Ph.D./HSP**, Dr. Gilleylen made a motion, seconded by Dr. Kores, to issue a temporary license to Dr. Haban and schedule him for oral exam. The motion carried.

With no other business to conduct, Dr. Gilleylen made a motion, seconded by Dr. Kores, to adjourn the meeting at 6:05. The motion carried.

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